

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MATTHEW R. LINDNER,

Plaintiff,

v.

FORD MOTOR COMPANY, *et al.*,

Defendants.

Case No. 2:10-cv-0051-LDG (LRL)

ORDER

The plaintiffs move to remand (#11) this matter to state court. The defendants oppose (#14). The court will deny the motion.

The plaintiffs filed their complaint in state court on March 13, 2009. The complaint named several defendants, only one of whom--Bertha Meza d/b/a Orozco Auto Sales--was not diverse to the plaintiffs. On October 27, 2009, Meza moved for a determination of a good faith settlement with the plaintiffs and to be dismissed with prejudice. The plaintiffs did not oppose that motion, and the state court granted the motion on December 23, 2009. As a result, as of December 23, 2009, all remaining defendants in the plaintiffs' suit were completely diverse to the plaintiffs. The defendants then timely removed the matter to federal court on January 13, 2010.

1 The plaintiffs argue that the matter must be remanded because a minor's
2 compromise is yet to be finalized and signed by the court. Thus, they argue without any
3 citation to the law, complete diversity does not exist as Meza remains "a viable defendant
4 until the court approves the settlement of the minor's claims." Regardless of whether a
5 minor's compromise was finalized, the record is plain that the plaintiffs did not oppose
6 Meza's motion to be dismissed with prejudice. The record is also plain that Meza was
7 dismissed with prejudice and is no longer a party to this action. Accordingly, as the
8 plaintiffs' motion to remand is without any merit,

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10 THE COURT **ORDERS** that Plaintiffs' Motion to Remand (#11) is DENIED.

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12 DATED this 14 day of July, 2010.

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15 Lloyd D. George
16 United States District Judge
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